

The cited references do not teach or suggest the use of cyclodextrin in an odor-neutralizing composition in an absorbent material in a container. Applicants traverse the rejection of the claims under 35 USC §102(b). Applicants respectfully submit that the rejections under 35 USC §102(b) are improper in light of the amendments to the claims and request that the rejections under 35 USC §102(b) be withdrawn.

35 USC §103 Rejections:

The Office Action rejects claims 1-10 under 35 USC §103(a) as unpatentable over Caggiano or Kannakeril in view of Guaricino (EP 0,811,390 A1). None of the cited references teaches or suggests the use of cyclodextrin in an odor-neutralizing composition on an absorbent material in a container.

Applicants respectfully traverse the rejection of claims 1-10 under 35 USC §103. Applicants submit that this rejection is improper in light of the amendments to the claims and respectfully request that the rejection be reconsidered and withdrawn.

35 USC §112 Rejection:

The Office Action rejects claims 6 and 7 under the second paragraph of 35 USC §112 for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 6 and 7 have been amended. Applicants submit that the amended claims satisfy the requirements of 35 USC §112. Applicants request reconsideration and withdrawal of this rejection in light of the amendments.

Attached hereto is a marked-up version of the changes made to the specification and claims by the current amendment. The attached page is captioned **"Version with markings to show changes made."**

In light of the amendments to the claims and the above remarks, it is requested that the Examiner reconsider and withdraw the rejections under 35 USC §§ 102, 103, and 112. Early and favorable action in the case is respectfully requested.

Respectfully submitted,

FOR: MELISSA DEE AQUINO, ET AL.

By: 

David K. Mattheis
Attorney for Applicant(s)
Registration No. 48,683
(513) 634-7419

Date: February 19, 2003
Customer No. 27752

VERSION WITH MARKINGS TO SHOW CHANGES MADE

1. (Amended) A container for use in the disposal of food wastes, the container comprising:
[characterized by]

a liquid impervious wall having inner and outer surfaces,

an absorbent material having deposited thereon an effective amount of an odor-neutralizing composition for neutralizing odors emitted by food wastes;

the odor-neutralizing composition comprising cyclodextrin;

wherein the absorbent material is inside the container.

3. (Amended) A container according to claim 2 [which additionally is characterized by a means for the closure and sealing of the container] adapted to be closed and sealed.

5. (Twice amended) A container according to claim 1 [4] wherein the odor-neutralizing composition [is characterized by] further comprises an ingredient selected from [the] a group consisting of [cyclodextrin] activated charcoal, baking soda, absorbent gelling material, zeolite, silica and mixtures thereof.

6. (Twice amended) A container according to claim 1 [5] wherein the odor-neutralizing composition further [is characterized by] comprises a chelant.

7. (Twice amended) A container according to claim 1 [6] wherein the odor-neutralizing composition [is characterized by]:

(a) an odor-absorbing ingredient selected from the group consisting of cyclodextrin, activated charcoal, baking soda, absorbent gelling materials, zeolite, silica, and mixtures thereof]

further comprises an antimicrobial agent.

8. (Amended) A container for the disposal of food wastes, the container comprising:
[characterized by]

(a) liquid impervious walls defining an opening for receiving the food wastes, the walls having an inner and outer surface;

(b) an absorbent material positioned adjacent the inner surface of the liquid impervious walls and having an effective amount of an odor-neutralizing composition [compound] deposited thereon, the odor-neutralizing composition comprising cyclodextrin; and

(c) a liquid pervious liner positioned adjacent to the absorbent material.

9. (Twice amended) A container according to claim 8 wherein the odor-neutralizing [compound is deposited on the absorbent material] composition further comprises an antimicrobial agent.

10. (Twice amended) A container according to claim 8 [9] wherein the odor-neutralizing composition further comprises [compound is characterized by] a chelant.